

REMARKS

The present invention is a portable telephone assembly. In accordance with an embodiment of the invention, a portable telephone assembly includes a first portion 200 and a second portion 300. The first portion comprises a primary power source 280 for providing power to all functions of the telephone as described in paragraph [0019] of the Substitute Specification, is arranged to be detachable connected to the second portion as described in paragraph [0012] of the Substitute Specification and is independently operable as a portable telephone detached from the second portion; the second portion is arranged to be removably attachable to the user as described in paragraph [0015] of the Substitute Specification and comprises a battery operable to recharge the primary power when the first and second portions are connected as described in [0020] of the Substitute Specification; and the battery comprises rechargeable cells distributed about the second portion as described in paragraphs [0021]-[0022] wherein the primary source is for providing power for all of the functions of the telephone whether or not the second portion is attached to the first portion.

Claims 10-13 and 16 stand rejected under 35 U.S.C. §103 as being unpatentable over United States Patent 6,043,626 (Snyder et al) in view of WO 98/27702 (Ghassabian). These grounds of rejection are traversed for the following reasons.

Independent claim 10 has been amended to recite that "the first portion comprises a primary source for providing power for all functions of the telephone, the second portion...comprises a battery operable to recharge the primary power source...the primary source is for providing power for all the functions of the

telephone whether or not the second portion is attached to the first portion." This subject matter has no counterpart in the combined teachings of Snyder and Ghassabian.

Snyder et al disclose a portable telephone 10 which has a primary battery 25 and an auxiliary battery 40 which is contained in a telephone holder 15 that is intended to be attached to a user's belt as described in column 3, lines 27-55. When the portable electronic device is not in the holder, the device is powered by the primary battery 25 therein. When the electronic device is placed in the holder, the battery holder powers the device.

Accordingly, Snyder et al do not disclose the "primary power source is for providing power for all the functions of the telephone whether or not the second portion is attached to the first portion" and furthermore, that the second portion "comprises a battery operable to recharge the primary power source when the first and second portions are connected" as recited in claim 10. Moreover, the battery charging circuit 450 of Snyder et al, as illustrated in Fig. 9, is operable to recharge the main battery and the auxiliary battery 40. The auxiliary battery 40 never provides the claimed charging of the primary battery when the first and second portions are connected.

The control of charging by the battery charger 450 is solely for the purpose of maintaining the phone in an operational state when it is either cradled in the holder 25 or removed therefrom. When the phone is cradled in the holder 25, the primary battery 25 is charged without draining the auxiliary battery 40. See column 8, lines 38-55. Since the charging of the primary battery by the battery

charger 450 is stated to not drain the auxiliary battery 40, there is no teaching of the claimed recharging of the primary battery 25 by the auxiliary battery 40.

The citation of Ghassabian is for a teaching that batteries with multiple cells distributed within the second portion are well known. However, Ghassabian does not cure the deficiencies noted above with respect to Snyder et al. Accordingly, the rejection of claims 10-13 and 16 as being obvious over Snyder et al in view of Ghassabian is erroneous and should be withdrawn.

Claims 14 and 15 stand rejected under 35 U.S.C. §103 as being unpatentable over Snyder in view of Ghassabian further in view of United States Patent 6,275,681 (Vega). This ground of rejection is traversed for the following reasons.

Vega has been cited for teaching inductive charging. However, Vega does not cure the deficiencies noted above with respect to Snyder and Ghassabian.

In view of the foregoing amendments and remarks, it is submitted that each of the claims in the application is in condition for allowance.

Accordingly, early allowance thereof is respectfully requested.

To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. §1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 01-2135 (1156.41081X00) and please credit any excess fees to such Deposit Account.

Respectfully submitted,

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